

1 A bill to be entitled

2 An act relating to enforcement of school bus passing  
3 infractions; amending s. 316.003, F.S.; defining the  
4 term "school bus infraction detection system";  
5 creating s. 316.173, F.S.; authorizing school  
6 districts to install and operate school bus infraction  
7 detection systems for a specified purpose; authorizing  
8 school districts to contract with a vendor or  
9 manufacturer for specified purposes; requiring  
10 decision to install school bus infraction detection  
11 systems to be in the interest of public safety;  
12 prohibiting an individual from receiving a commission  
13 from violations detected through the detection system;  
14 prohibiting a vendor or manufacturer from receiving a  
15 fee or remuneration based on the number of violations  
16 detected; requiring the school district to enter into  
17 interlocal agreements with law enforcement agencies to  
18 enforce violations; providing signage requirements;  
19 requiring a school district that installs a school bus  
20 infraction detection system to provide certain notice  
21 to the public; requiring a school district that has  
22 never conducted a school bus infraction detection  
23 system program to conduct a public awareness campaign  
24 before commencing enforcement of such system; limiting  
25 penalties in effect during the public awareness

26 | campaign; requiring the vendor or manufacturer to  
27 | forward alleged violations within a specified period  
28 | of time; providing requirements for violations;  
29 | providing notification requirements and procedures for  
30 | law enforcement agencies; requiring a person who  
31 | receives a notification of a violation to pay the  
32 | penalty or request a hearing within a specified  
33 | timeframe; providing for waiver of challenge or  
34 | dispute as to the delivery of notification of  
35 | violation; providing for the distribution of funds;  
36 | providing requirements for issuance of a traffic  
37 | citation; providing for waiver of challenge or dispute  
38 | as to the delivery of the traffic citation; providing  
39 | notification requirements and procedures; specifying  
40 | that the registered owner of a motor vehicle is  
41 | responsible and liable for paying a traffic citation;  
42 | providing exceptions; requiring an owner of a motor  
43 | vehicle to furnish an affidavit under certain  
44 | circumstances; specifying requirements for such  
45 | affidavit; providing a criminal penalty for submitting  
46 | a false affidavit; providing certain photographs or  
47 | video are admissible in certain proceedings; providing  
48 | a rebuttable presumption; specifying requirements of  
49 | and prohibitions on the use of recorded video and  
50 | photographs captured by the school bus infraction

51 |       detection system; requiring school districts to submit  
 52 |       a report to the Department of Education; requiring the  
 53 |       department to submit a summary report to the Governor  
 54 |       and Legislature; requiring school bus infraction  
 55 |       detection systems to meet the State Board of Education  
 56 |       specifications; requiring the board to establish  
 57 |       certain specifications through rule by a specified  
 58 |       date; authorizing the board to adopt rules regarding  
 59 |       student privacy; amending s. 318.14, F.S.; conforming  
 60 |       provisions to changes made by the act; amending s.  
 61 |       318.18, F.S.; providing exceptions to penalties for  
 62 |       violations enforced by a school bus infraction  
 63 |       detection system; amending s. 322.27, F.S.;  
 64 |       prohibiting points from being imposed against a driver  
 65 |       license for certain infractions enforced by a school  
 66 |       bus infraction detection system; prohibiting such  
 67 |       infractions from being used to set motor vehicle  
 68 |       insurance rates; amending ss. 1006.21, 316.306, and  
 69 |       655.960, F.S.; conforming cross-references and  
 70 |       provisions to changes made by the act; providing an  
 71 |       effective date.

72 |

73 | Be It Enacted by the Legislature of the State of Florida:

74 |

75 |       Section 1. Subsections (78) through (109) of section

76 316.003, Florida Statutes are renumbered as subsections (79)  
 77 through (110), respectively, subsection (64) is amended, and new  
 78 subsection (78) is added to that section to read:

79 316.003 Definitions.—The following words and phrases, when  
 80 used in this chapter, shall have the meanings respectively  
 81 ascribed to them in this section, except where the context  
 82 otherwise requires:

83 (64) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
 84 provided in paragraph (88)(b) ~~(87)(b)~~, any privately owned way  
 85 or place used for vehicular travel by the owner and those having  
 86 express or implied permission from the owner, but not by other  
 87 persons.

88 (78) SCHOOL BUS INFRACTION DETECTION SYSTEM.—A camera  
 89 system affixed to a school bus with two or more camera sensors  
 90 or computers that produce a recorded video and two or more film  
 91 or digital photographic still images for the purpose of  
 92 documenting a motor vehicle being used or operated in a manner  
 93 that allegedly violates s. 316.172(1)(a) or (b).

94 Section 2. Section 316.173, Florida Statutes, is created  
 95 to read:

96 316.173 School bus infraction detection systems.—

97 (1)(a) A school district may install and operate a school  
 98 bus infraction detection system on a school bus for the purpose  
 99 of enforcing s. 316.172(1)(a) and (b) as provided in and  
 100 consistent with this section.

101       (b) The school district may contract with a private vendor  
 102 or manufacturer to install a school bus infraction detection  
 103 system on any school bus within its fleet, whether owned,  
 104 contracted, or leased, and for services including, but not  
 105 limited to, the installation, operation, and maintenance of the  
 106 system. The school district's decision to install school bus  
 107 infraction detection systems must be solely on the need to  
 108 increase public safety. An individual may not receive a  
 109 commission from any revenue collected from violations detected  
 110 through the use of a school bus infraction detection system. A  
 111 private vendor or manufacturer may not receive a fee or  
 112 remuneration based upon the number of violations detected  
 113 through the use of a school bus infraction detection system.

114       (c) The school district shall ensure that each school bus  
 115 infraction detection system meets the requirements of subsection  
 116 (18).

117       (d) The school district shall enter into an interlocal  
 118 agreement with one or more law enforcement agencies authorized  
 119 to enforce violations of s. 316.172(1)(a) and (b) within the  
 120 school district which jointly establishes the responsibilities  
 121 of enforcement and the reimbursement of costs associated with  
 122 school bus infraction detection systems consistent with this  
 123 section.

124       (2)(a) On any school bus in which a school bus infraction  
 125 detection system is installed and operational, the school

126 district must post high-visibility reflective signage on the  
127 rear of the school bus indicating the use of such system. The  
128 signage must be in the form of one or more signs or stickers and  
129 must contain the following elements in substantially the  
130 following form:

131 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS  
132 WHEN RED LIGHTS FLASH".

133 2. The words "CAMERA ENFORCED".

134 3. A graphic depiction of a camera.

135 (b) The signage must occupy at least seventy-five percent  
136 of the available space that does not contain signs or insignia  
137 that are required by other applicable law or by the State Board  
138 of Education.

139 (c) The sufficiency of signage or compliance with the  
140 signage requirements under this subsection may not be raised in  
141 a proceeding challenging a violation of s. 316.172 (1) (a) or (b).

142 (3) If a school district begins a school bus infraction  
143 detection system program and it has never conducted such a  
144 program, the school district must make a public announcement and  
145 conduct a public awareness campaign of the proposed use of  
146 school bus infraction detection systems at least 30 days before  
147 commencing enforcement under the school bus infraction detection  
148 system program and notify the public of the specific date on  
149 which the program will commence. During the public awareness  
150 campaign, only a warning may be issued to the registered owner

151 of the motor vehicle for a violation of s. 316.172(1) (a) or (b),  
152 enforced by a school bus infraction detection system and a civil  
153 penalty may not be imposed under chapter 318.

154 (4) Within 30 days after an alleged violation of s.  
155 316.172(1) (a) or (b) is captured by a school bus infraction  
156 detection system, the private vendor or manufacturer, shall  
157 submit the following information to a law enforcement agency  
158 that has entered into an interlocal agreement with the school  
159 district pursuant to paragraph (1) (d), and has traffic  
160 infraction enforcement jurisdiction at the location where the  
161 alleged violation occurred:

162 (a) A copy of the recorded video and images showing the  
163 motor vehicle allegedly violating s. 316.172(1) (a) or (b).

164 (b) The motor vehicle's license plate number and the state  
165 of issuance of the motor vehicle's license plate.

166 (c) The date, time, and location of the alleged violation.

167 (5) Within 30 days after receiving the information  
168 required in subsection (4), the law enforcement agency, if it  
169 determines that the motor vehicle violated s. 316.172(1) (a) or  
170 (b), must send notice of violation to the registered owner of  
171 the motor vehicle involved in the violation specifying the  
172 remedies available under s. 318.14 and that the violator must  
173 pay the penalty under s. 318.18(5) or furnish an affidavit in  
174 accordance with subsection (10) within 30 days after the date of  
175 the notification of violation in order to avoid court fees,

176 costs, and the issuance of a uniform traffic citation. The  
177 notification of violation must be sent by first-class mail and  
178 include all of the following:

179 (a) A copy of the recorded image showing the motor vehicle  
180 involved in the violation, including an image showing the  
181 license plate of the motor vehicle.

182 (b) The date, time, and location of the violation.

183 (c) The amount of civil penalty, the date by which the  
184 penalty must be paid, and instructions on how to pay the civil  
185 penalty.

186 (d) Instructions on how to request a hearing to contest  
187 liability or the notice of violation.

188 (e) A notice that the owner has the right to review, in  
189 person or remotely, the images and video captured by the school  
190 bus infraction detection system which constitute a rebuttable  
191 presumption that the motor vehicle was used in violation of s.  
192 316.172(a) or (b).

193 (f) The time when, and the place or website at which, the  
194 images or video captured may be examined and observed.

195 (g) A warning that failure to pay the civil penalty or to  
196 contest liability within 30 days after the notice is mailed will  
197 result in the issuance of a uniform traffic citation.

198 (6) If the registered owner or co-owner of the motor  
199 vehicle; the person identified as having care, custody, or  
200 control of the motor vehicle at the time of the violation; or an



201 authorized representative of the owner, co-owner, or identified  
 202 person initiates a proceeding to challenge the violation, such  
 203 person waives any challenge or dispute as to the delivery of the  
 204 notification of violation.

205 (7) The civil penalties assessed for a violation of s.  
 206 316.172(1)(a) or (b) enforced by a school bus infraction  
 207 detection system must be remitted to the school district in  
 208 which the violation occurred. Such civil penalties must be used  
 209 for the installation or maintenance of school bus infraction  
 210 detection systems on school buses, for any other technology that  
 211 increases the safety of the transportation of students, or for  
 212 the administration and costs associated with the enforcement of  
 213 violations as described in this section.

214 (8) A uniform traffic citation shall be issued by mailing  
 215 the uniform traffic citation by certified mail to the address of  
 216 the registered owner of the motor vehicle involved in the  
 217 violation if payment has not been made within 30 days after  
 218 notification under subsection (5), if the registered owner has  
 219 not requested a hearing under s. 318.14, and if the registered  
 220 owner has not submitted an affidavit in accordance with  
 221 subsection (10).

222 (a) Delivery of the uniform traffic citation constitutes  
 223 notification for a violation of s. 316.172(1)(a) or (b) under  
 224 this subsection. If the registered owner or co-owner of the  
 225 motor vehicle; the person identified as having care, custody, or

226 control of the motor vehicle at the time of the violation; or a  
 227 duly authorized representative of the owner, co-owner, or  
 228 identified person initiates a proceeding to challenge the  
 229 citation, such person waives any challenge or dispute as to  
 230 delivery of the traffic citation.

231 (b) In the case of joint ownership of a motor vehicle, the  
 232 traffic citation shall be mailed to the first name appearing on  
 233 the motor vehicle registration, unless the first name appearing  
 234 on the registration is a business organization, in which case  
 235 the second name on the citation may be used.

236 (c) The uniform traffic citation mailed to the registered  
 237 owner of the motor vehicle involved in the infraction must be  
 238 accompanied by information described in paragraphs (5)(a) -  
 239 (5)(f).

240 (9) The registered owner of the motor vehicle involved in  
 241 the violation is responsible and liable for paying the uniform  
 242 traffic citation issued for a violation of s. 316.172(1)(a) or  
 243 (b) unless the owner can establish that:

244 (a) The motor vehicle was, at the time of the violation,  
 245 in the care, custody, or control of another person;

246 (b) A uniform traffic citation was issued by law  
 247 enforcement to the driver of the motor vehicle for the alleged  
 248 violation of s. 316.172(1)(a) or (b); or

249 (c) The motor vehicle's owner was deceased on or before  
 250 the date that the uniform traffic citation was issued, as

251 established by an affidavit submitted by the representative of  
 252 the motor vehicle owner's estate or other designated person or  
 253 family member.

254 (10) To establish such facts under subsection (9), the  
 255 registered owner of the motor vehicle shall, within 30 days  
 256 after the date of issuance of the notice of violation or the  
 257 uniform traffic citation, furnish to the law enforcement agency  
 258 that issued the notice of violation or uniform traffic citation  
 259 an affidavit setting forth information supporting an exception  
 260 under subsection (9).

261 (a) An affidavit supporting the exemption under paragraph  
 262 (9)(a) must include the name, address, date of birth, and, if  
 263 known, the driver license number of the person who leased,  
 264 rented, or otherwise had care, custody, or control of the motor  
 265 vehicle at the time of the alleged violation. If the motor  
 266 vehicle was stolen at the time of the alleged violation, the  
 267 affidavit must include the police report indicating that the  
 268 motor vehicle was stolen.

269 (b) If a uniform traffic citation for a violation of s.  
 270 316.172(1)(a) or (b) was issued at the location of the violation  
 271 by a law enforcement officer, the affidavit must include the  
 272 serial number of the uniform traffic citation.

273 (c) If the motor vehicle's owner to whom a traffic  
 274 citation has been issued is deceased, the affidavit must include  
 275 a certified copy of the owner's death certificate showing that

276 the date of death occurred on or before the issuance of the  
 277 traffic citation and one of the following:

278 1. A bill of sale or other document showing that the  
 279 deceased owner's motor vehicle was sold or transferred after his  
 280 or her death but on or before the date of the alleged violation.

281 2. Documented proof that the registered license plate  
 282 belonging to the deceased owner's motor vehicle was returned to  
 283 the department or any branch office or authorized agent of the  
 284 department after his or her death but on or before the date of  
 285 the alleged violation.

286 3. A copy of the police report showing that the deceased  
 287 owner's registered license plate or motor vehicle was stolen  
 288 after his or her death but on or before the date of the alleged  
 289 violation.

290  
 291 Upon receipt of the affidavit and documentation required under  
 292 paragraphs (b) and (c), or 30 days after the date of issuance of  
 293 a notice of violation sent to a person identified as having  
 294 care, custody, or control of the motor vehicle at the time of  
 295 the violation under paragraph (a), the law enforcement agency  
 296 must dismiss the notice or citation and provide proof of such  
 297 dismissal to the person who submitted the affidavit. If, within  
 298 30 days of the date of a notice of violation sent to a person  
 299 under subsection (11), the law enforcement agency receives an  
 300 affidavit under subsection (10) from the person sent a notice of

301 violation affirming that the person did not have care, custody,  
302 or control of the motor vehicle at the time of the violation,  
303 the law enforcement agency shall notify the registered owner  
304 that the notice or citation will not be dismissed due to failure  
305 to establish that another person had care, custody, or control  
306 of the motor vehicle at the time of the violation.

307 (11) Upon receipt of an affidavit under paragraph (9)(a),  
308 the law enforcement agency may issue the person identified as  
309 having care, custody, or control of the motor vehicle at the  
310 time of the violation a notification of violation pursuant to  
311 subsection (5) for a violation of s. 316.172 (1)(a) or (b). The  
312 affidavit is admissible in a proceeding pursuant to this section  
313 for the purpose of providing evidence that the person identified  
314 in the affidavit was in actual care, custody, or control of the  
315 motor vehicle. The owner of a leased motor vehicle for which a  
316 traffic citation is issued for a violation of s. 316.172 (1)(a)  
317 or (b) is not responsible for paying the traffic citation and is  
318 not required to submit an affidavit as specified in subsection  
319 (10) if the motor vehicle involved in the violation is  
320 registered in the name of the lessee of such motor vehicle.

321 (12) If a law enforcement agency receives an affidavit  
322 under paragraph (9)(a), the notification of violation required  
323 under subsection (5) must be sent to the person identified in  
324 the affidavit within 30 days after receipt of the affidavit. The  
325 person identified in an affidavit and sent a notice of violation

326 may also affirm he or she did not have care, custody, or control  
 327 of the motor vehicle at the time of the violation by furnishing  
 328 to the appropriate governmental entity within 30 days of the  
 329 date of the notice of violation an affidavit stating such.

330 (13) The submission of a false affidavit is a misdemeanor  
 331 of the second degree, punishable as provided in s. 775.082 or s.  
 332 775.083.

333 (14) The photographs and video captured by a school bus  
 334 infraction detection system which are attached to or referenced  
 335 in the traffic citation are evidence of a violation of s.  
 336 316.172(1)(a) or (b) and are admissible in any proceeding to  
 337 enforce this section. The photographs and video raise a  
 338 rebuttable presumption that the motor vehicle shown in the  
 339 photographs and video was used in violation of s. 316.172(1)(a)  
 340 or (b).

341 (15) This section supplements the enforcement of s.  
 342 316.172(1)(a) and (b) by a law enforcement officer and does not  
 343 prohibit a law enforcement officer from issuing a traffic  
 344 citation for a violation of s. 316.172(1)(a) or (b).

345 (16)(a)1. Notwithstanding any other law, equipment  
 346 deployed as part of a school bus infraction detection system as  
 347 provided under this section must be incapable of automated or  
 348 user-controlled remote surveillance by means of recorded video  
 349 or still images.

350 2. Recorded images collected as part of the school bus

351 infraction detection system may only be used to document  
352 violations of s. 316.172(1) (a) or (b) and may not be used for  
353 any other surveillance purposes.

354 3. To the extent practicable, a school bus infraction  
355 detection system must use necessary technology to ensure that  
356 personal identifying information contained in the recorded video  
357 or still images produced by the system which is not relevant to  
358 the alleged violation, including, but not limited to, the  
359 identity of the driver and any passenger of a motor vehicle, the  
360 interior or contents of a motor vehicle, the identity of an  
361 uninvolved person, a number identifying the address of a private  
362 residence, and the contents or interior of a private residence,  
363 is sufficiently obscured so as not to reveal such personal  
364 identifying information.

365 4. A notice of a violation or uniform traffic citation  
366 issued under this section may not be dismissed solely because a  
367 recorded video or still images reveal personal identifying  
368 information as provided in subparagraph 3. as long as a  
369 reasonable effort has been made to comply with this subsection.

370 (b) Any recorded video or still image obtained through the  
371 use of a school bus infraction detection system must be  
372 destroyed within 90 days after the final disposition of the  
373 recorded event. The vendor of a school bus infraction detection  
374 system shall provide the school district with written notice by  
375 December 31 of each year that such records have been destroyed

376 in accordance with this section.

377 (c) Notwithstanding any other law, registered motor  
378 vehicle owner information obtained as a result of the operation  
379 of a school bus infraction detection system is not the property  
380 of the manufacturer or vendor of the system and may be used only  
381 for the purposes of this section.

382 (17) (a) By October 1, 2024, and annually thereafter, each  
383 school district, in consultation with the law enforcement  
384 agencies with which it has interlocal agreements pursuant to  
385 this section, operating a school bus infraction detection system  
386 shall provide a report to Department of Education which details  
387 the results of the school bus infraction detection systems in  
388 the school district in the preceding school year. The  
389 information submitted by the school districts must include:

390 1. The number of buses which have a school bus infraction  
391 detection system installed, including the date of installation  
392 and, if applicable, the date the systems were removed.

393 2. The number of notices of violation issued, the number  
394 that were contested, and the number that were paid per state  
395 fiscal year.

396 3. Any other statistical data and information required by  
397 the Department of Education to complete the report required by  
398 paragraph (b).

399 (b) By December 31, 2024, and annually thereafter, the  
400 Department of Education shall submit a summary report to the



401 Governor, the President of the Senate, the Speaker of the House  
402 of Representatives, regarding the use and operation of school  
403 bus infraction detection systems under this section, along with  
404 the Department of Education's recommendations and any necessary  
405 legislation. The summary report must include a review of the  
406 information submitted to the Department of Education by the  
407 school districts and must describe the enhancement of traffic  
408 safety and enforcement programs.

409 (18) A school bus infraction detection system must meet  
410 specifications established by the State Board of Education and  
411 must be tested at regular intervals according to specifications  
412 prescribed by state board rule. The state board must establish  
413 such specifications by rule on or before December 31, 2023.  
414 However, any such equipment acquired by purchase, lease, or  
415 other arrangement under an agreement entered into by a school  
416 district on or before July 1, 2024, or equipment used to enforce  
417 violations of s. 316.172(1)(a) or (b) on or before July 1, 2024,  
418 is not required to meet the specifications established by the  
419 state board until July 1, 2024.

420 (19) The State Board of Education may adopt rules to  
421 address student privacy concerns that may arise from the use of  
422 a school bus infraction detection system.

423 Section 3. Subsection (2) of section 318.14, Florida  
424 Statutes, is amended to read:

425 318.14 Noncriminal traffic infractions; exception;

426 | procedures.—

427 |       (2) Except as provided in ss. 316.1001(2), ~~and~~ 316.0083,  
 428 | and 316.173, any person cited for a violation requiring a  
 429 | mandatory hearing listed in s. 318.19 or any other criminal  
 430 | traffic violation listed in chapter 316 must sign and accept a  
 431 | citation indicating a promise to appear. The officer may  
 432 | indicate on the traffic citation the time and location of the  
 433 | scheduled hearing and must indicate the applicable civil penalty  
 434 | established in s. 318.18. For all other infractions under this  
 435 | section, except for infractions under s. 316.1001, the officer  
 436 | must certify by electronic, electronic facsimile, or written  
 437 | signature that the citation was delivered to the person cited.  
 438 | This certification is prima facie evidence that the person cited  
 439 | was served with the citation.

440 |       Section 4. Subsection (5) of section 318.18, Florida  
 441 | Statutes, is amended to read:

442 |       318.18 Amount of penalties.—The penalties required for a  
 443 | noncriminal disposition pursuant to s. 318.14 or a criminal  
 444 | offense listed in s. 318.17 are as follows:

445 |       (5)(a) Two hundred dollars for a violation of s.  
 446 | 316.172(1)(a), failure to stop for a school bus. If, at a  
 447 | hearing, the alleged offender is found to have committed this  
 448 | offense, the court shall impose a minimum civil penalty of \$200.  
 449 | In addition to this penalty, for a second or subsequent offense  
 450 | within a period of 5 years, the department shall suspend the

451 driver license of the person for not less than 180 days and not  
 452 more than 1 year.

453 (b) Four hundred dollars for a violation of s.  
 454 316.172(1)(b), passing a school bus on the side that children  
 455 enter and exit when the school bus displays a stop signal. If,  
 456 at a hearing, the alleged offender is found to have committed  
 457 this offense, the court shall impose a minimum civil penalty of  
 458 \$400. In addition to this penalty, for a second or subsequent  
 459 offense within a period of 5 years, the department shall suspend  
 460 the driver license of the person for not less than 360 days and  
 461 not more than 2 years. If a violation of s. 316.172(1)(b) is  
 462 enforced by a school bus infraction detection system pursuant to  
 463 s. 316.173, the penalty under this paragraph is \$200, in lieu of  
 464 the \$400 penalty, and a court must impost a minimum civil  
 465 penalty under this paragraph of \$200, in lieu of the \$400  
 466 minimum civil penalty.

467 (c) In addition to the penalty under paragraph (a) or  
 468 paragraph (b), \$65 for a violation of s. 316.172(1)(a) or (b).  
 469 If the alleged offender is found to have committed the offense,  
 470 the court shall impose the civil penalty under paragraph (a) or  
 471 paragraph (b) plus an additional \$65. The additional \$65  
 472 collected under this paragraph shall be remitted to the  
 473 Department of Revenue for deposit into the Emergency Medical  
 474 Services Trust Fund of the Department of Health to be used as  
 475 provided in s. 395.4036. If a violation of s. 316.172(1)(a) or

476 (b) is enforced by a school bus infraction detection system  
 477 pursuant to s. 316.173, the fee imposed on the citation or by  
 478 the court under this paragraph shall be \$25, in lieu of the \$65  
 479 fee, which must be dedicated to the safe schools allocation  
 480 provided to school districts by the Department of Education  
 481 pursuant to s. 1011.62(12).

482 (d) Notwithstanding any other provision of law to the  
 483 contrary, \$1,500 for a violation of s. 316.172(1)(a) or (b) that  
 484 causes or results in serious bodily injury to or death of  
 485 another. The person may enter into a payment plan with the clerk  
 486 of court pursuant to s. 28.246. In addition to this penalty, the  
 487 department shall suspend the driver license of the person for  
 488 not less than 1 year.

489 Section 5. Paragraph (d) of subsection (3) of section  
 490 322.27, Florida Statutes, is amended to read:

491 322.27 Authority of department to suspend or revoke driver  
 492 license or identification card.—

493 (3) There is established a point system for evaluation of  
 494 convictions of violations of motor vehicle laws or ordinances,  
 495 and violations of applicable provisions of s. 403.413(6)(b) when  
 496 such violations involve the use of motor vehicles, for the  
 497 determination of the continuing qualification of any person to  
 498 operate a motor vehicle. The department is authorized to suspend  
 499 the license of any person upon showing of its records or other  
 500 good and sufficient evidence that the licensee has been

501 convicted of violation of motor vehicle laws or ordinances, or  
 502 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
 503 more points as determined by the point system. The suspension  
 504 shall be for a period of not more than 1 year.

505 (d) The point system shall have as its basic element a  
 506 graduated scale of points assigning relative values to  
 507 convictions of the following violations:

- 508 1. Reckless driving, willful and wanton—4 points.
- 509 2. Leaving the scene of a crash resulting in property  
 510 damage of more than \$50—6 points.
- 511 3. Unlawful speed, or unlawful use of a wireless  
 512 communications device, resulting in a crash—6 points.
- 513 4. Passing a stopped school bus:
  - 514 a. Not causing or resulting in serious bodily injury to or  
 515 death of another—4 points.
  - 516 b. Causing or resulting in serious bodily injury to or  
 517 death of another—6 points.
  - 518 c. No points shall be imposed for a violation of passing s  
 519 stopped school bus when enforced by a school bus infraction  
 520 detection system. In addition, a violation of s. 316.172(1)(a)  
 521 or (b) when enforced by a school bus infraction detection system  
 522 pursuant to s. 316.173 may not be used for purposes of setting  
 523 motor vehicle insurance rates.
- 524 5. Unlawful speed:
  - 525 a. Not in excess of 15 miles per hour of lawful or posted

526 speed—3 points.

527       b. In excess of 15 miles per hour of lawful or posted  
528 speed—4 points.

529       6. A violation of a traffic control signal device as  
530 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
531 However, no points shall be imposed for a violation of s.  
532 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
533 stop at a traffic signal and when enforced by a traffic  
534 infraction enforcement officer. In addition, a violation of s.  
535 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
536 stop at a traffic signal and when enforced by a traffic  
537 infraction enforcement officer may not be used for purposes of  
538 setting motor vehicle insurance rates.

539       7. All other moving violations (including parking on a  
540 highway outside the limits of a municipality)—3 points. However,  
541 no points shall be imposed for a violation of s. 316.0741 or s.  
542 316.2065(11); and points shall be imposed for a violation of s.  
543 316.1001 only when imposed by the court after a hearing pursuant  
544 to s. 318.14(5).

545       8. Any moving violation covered in this paragraph,  
546 excluding unlawful speed and unlawful use of a wireless  
547 communications device, resulting in a crash—4 points.

548       9. Any conviction under s. 403.413(6)(b)—3 points.

549       10. Any conviction under s. 316.0775(2)—4 points.

550       11. A moving violation covered in this paragraph which is

551 committed in conjunction with the unlawful use of a wireless  
552 communications device within a school safety zone—2 points, in  
553 addition to the points assigned for the moving violation.

554 Section 6. Paragraph (h) is added to subsection (3) of  
555 section 1006.21, Florida Statutes, to read:

556 1006.21 Duties of district school superintendent and  
557 district school board regarding transportation.—

558 (3) District school boards, after considering  
559 recommendations of the district school superintendent:

560 (h) May install and operate, or enter into an agreement  
561 with a private vendor or manufacturer to provide, a school bus  
562 infraction detection system pursuant to s. 316.173.

563 Section 7. Paragraph (a) of subsection (3) of section  
564 316.306, Florida Statutes, is amended to read:

565 316.306 School and work zones; prohibition on the use of a  
566 wireless communications device in a handheld manner.—

567 (3)(a)1. A person may not operate a motor vehicle while  
568 using a wireless communications device in a handheld manner in a  
569 designated school crossing, school zone, or work zone area as  
570 defined in s. 316.003(110) ~~s. 316.003(109)~~. This subparagraph  
571 shall only be applicable to work zone areas if construction  
572 personnel are present or are operating equipment on the road or  
573 immediately adjacent to the work zone area. For the purposes of  
574 this paragraph, a motor vehicle that is stationary is not being  
575 operated and is not subject to the prohibition in this

576 paragraph.

577         2. Effective January 1, 2020, a law enforcement officer  
 578 may stop motor vehicles and issue citations to persons who are  
 579 driving while using a wireless communications device in a  
 580 handheld manner in violation of subparagraph 1.

581         Section 8. Subsection (1) of section 655.960, Florida  
 582 Statutes, is amended to read:

583         655.960 Definitions; ss. 655.960-655.965.—As used in this  
 584 section and ss. 655.961-655.965, unless the context otherwise  
 585 requires:

586         (1) "Access area" means any paved walkway or sidewalk  
 587 which is within 50 feet of any automated teller machine. The  
 588 term does not include any street or highway open to the use of  
 589 the public, as defined in s. 316.003(88) (a) ~~s. 316.003(87) (a)~~ or  
 590 (b), including any adjacent sidewalk, as defined in s. 316.003.

591         Section 9. This act shall take effect July 1, 2023.